

CHAPTER NO. 674

HOUSE BILL NO. 2907

By Representatives Scroggs, Kent

Substituted for: Senate Bill No. 2954

By Senator Person

AN ACT to amend Tennessee Code Annotated, Title 36; Title 37 and Title 71, relative to child support.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 36-5-116, is amended by deleting subsection (e) in its entirety, and by substituting instead the following language:

(e)

(1) By August 31, 2002, and to the extent required by federal law, the department of human services shall provide a monthly notice to the custodial parent or other caretaker of the child who receives child support payments from the central collections and disbursement unit established by this section, when a child support payment is received or distributed by the department during the reporting month.

(2) The recipients of monthly notices shall include:

(A) Current Families First recipients;

(B) Former Families First recipients, to include former Aid to Families with Dependent Children (AFDC) recipients;

(C) Any other persons who are recipients of Title IV-D child support services from the department; and

(D) Any other persons who receive payments from the central collections and disbursement unit.

(3) The notice to each custodial parent or other caretaker shall include, in an easily understood format, the following information relative to the child support payments:

(A) Custodial parent's or other caretaker's name;

(B) Non-custodial parent's name;

(C) TCSES case number;

(D) Court docket number;

(E) The amount of the current child support payment(s) issued to the custodial parent or other caretaker of the child;

(F) The date on which the child support payment(s) was issued to the custodial parent or other caretaker of the child;

(G) The total of all child support payments issued to date during the current year;

(H) Information regarding the right to administrative review and appeal;

(I) Understandable, case-specific information regarding negative numbers and adjustments related to the collection, distribution and disbursement of child support that are shown on the notice of collection in the cases subject to this subdivision;

(J) The date the child support payment(s) was received;

(K) The toll-free number for accessing child support customer service; and

(L) Where available, the following additional information shall be provided:

(i) The custodial parent's or other caretaker's member identification number;

(ii) The court location of the court in which the order is established;

(iii) The court-ordered child support amount for both current child support and for amounts of child support that are in arrears; and

(iv) The date of the court order in effect.

(4) In addition, for current or former recipients of Families First, the following information shall be provided to the custodial parent or caretaker of the child:

(A) Any information required by federal law or regulation;

(B) The federal rules for distribution of child support as they may be related to the specific category of either current Families First or former Families First recipients;

(C) The unmet need amount for current Families First recipients;

(D) The category, specifically either current Families First or former Families First, and a reason for any disparity between the amount received and the amount dispersed to the custodial parent or caretaker that is related to the category;

(E) The toll-free telephone number to call with questions about the unmet need amount for current Families First recipients;

(F) The amount of child support received that was treated as current child support;

(G) The amount of child support received that was treated as past due child support;

(H) A message keyed to the appearance of a collection of child support arrears from a federal income tax refund offset involving the non-custodial parent;

(I) The toll-free telephone numbers for both the IV-D child support and the IV-A Families First programs to facilitate inquiry for any questions or concerns; and

(J) General explanatory information.

(5) By April 1, 2002, child support payments sent to the custodial parent or other caretaker of the child by the central collections and disbursement unit shall include with each payment warrant, where available, the following information regarding the payment or payments:

(A) The custodial parent's or other caretaker's name and TCSES member identification number;

(B) The non-custodial parent's name;

(C) The payment warrant number;

(D) TCSES case identification number associated with each support payment included in the payment warrant;

(E) Court name and docket number from which each support payment on the payment warrant originated;

(F) The date on which the payment warrant was issued; and

(G) The total of all payments issued to date during the current year.

(6) The department may include any additional information on the notices or with the payments under this subsection as it may determine necessary or helpful to the custodial parent or other caretaker of the child.

SECTION 2. Tennessee Code Annotated, Section 36-5-120(a), is amended by deleting subdivisions (1)-(3) and by substituting instead the following language:

(1) The name and social security number of the obligor parent; and

(2) The code identifier for the court for which the payment is being made and the docket number of the case in which the support order was entered.

SECTION 3. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or

applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 4. This act shall be funded by existing resources of the department of human services.


SECTION 5. The provisions of this act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: April 17, 2002


JIMMY RAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 24th day of April 2002


DON SUNDQUIST, GOVERNOR